

Members

Alex Slabosky, Chairperson  
Tim Kennedy  
Lynn Clothier  
Eric Walts  
Dr. James Sackett  
Jean Macdonald  
Theresa Jolivet  
Chris Bojrab  
June Lyle  
Nancy Jewell  
Don Koors  
Kyle Allen  
Reggie Henderson  
Lisa Winternheimer  
Sheri Caveda  
Dr. Anita Siccardi  
Pat Hansen



## HEALTH POLICY ADVISORY COMMITTEE

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Authority: IC 2-5-23

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** September 28, 2006  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 130  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 3

**Members Present:** Alex Slabosky, Chairperson; Tim Kennedy; Dr. James Sackett; Theresa Jolivet; June Lyle; Don Koors; Kyle Allen; Reggie Henderson; Sheri Caveda.

**Members Absent:** Lynn Clothier; Eric Walts; Jean Macdonald; Chris Bojrab; Nancy Jewell; Lisa Winternheimer; Dr. Anita Siccardi; Pat Hansen.

Chairperson Slabosky called the meeting to order at 1:07 p.m. Chairperson Slabosky informed the Committee that no further testimony would be accepted on the contact lens issue and that the Committee would now discuss recommendations for the Health Finance Commission. He also stated that nine Committee members are needed for a quorum, nine votes are needed to pass any recommendation, and the Committee did not presently have a quorum to take action.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

### **Contact Lens Trade Issue**

Chairperson Slabosky read the Committee's charge concerning the contact lens trade issue. Committee members discussed the issue. One committee member stated that the FTC has taken a lot of action on this issue and continues to police the trade. The Committee member commented that he did not believe the state needed to get involved in the issue. Another Committee member endorsed the FTC comments and stated that she did not feel action was necessary by the Committee. A Committee member questioned Mr. Jay Magure, a representative from 1-800 CONTACTS, concerning a letter from ClearVision which stated that its product was available in 253 outlets in Indiana, and only a prescription (no new examination) was necessary. The Committee member felt that this did not appear to be limiting contact lenses with exclusive agreements with eye care providers. Mr. Magure responded that there are over 2000 outlets in Indiana and this leads to significant areas where these contacts are not available. In looking at the overall picture, Mr. Magure stated that this was only one vendor's access, and that in the long-term exclusive agreements will be growing after the settlement agreement expires next month. Mr. Magure responded to a Committee question by stating that nobody knows how extensive exclusive arrangements between manufacturers and eye care providers are in Indiana. When asked whether it was acceptable to exclude the Internet from commerce on one contact type, Mr. Magure said yes.

Another Committee member raised concerns with CooperVision's unwillingness to work on a compromise. A report by the Consumer Union (see Exhibit 1), stated that there was a wide range of prices for the same product in the contact lens trade. Because Indiana Attorney General Steve Carter signed the letter showing concern regarding this trade issue, the Committee member opined that the issue deems further study. Other Committee members agreed that further study of the issue is needed. One Committee member stated that she feels this may also be a health issue and did not want to limit access to the product. A motion was made by a Committee member to propose once the Committee achieved a quorum that the Committee recommend in its reports that the General Assembly in the next session study this issue, using the information compiled by the Committee. See Exhibit 2 for additional information provided to the Committee by interested parties.

### **Consolidation of Committees**

#### **Health Policy Advisory Committee and the Health Finance Advisory Committee**

Mr. Dan Seitz, a member of the Health Finance Advisory Committee, stated that this committee met once since it was established and that was in a joint meeting with the Health Finance Commission. Mr. Seitz gave the Committee the history regarding why the subcommittees were established. In the 1980s and 1990s, a group of health care lobbyists attempted to bring disparate stakeholders together in a non-confrontational manner to establish a dialogue among all the stakeholders concerning the serious problems in the delivery of health care. The intent was to force legislators to listen to experts who have met collaboratively in a non-confrontational manner instead of getting wrapped up in the emotions at the time. Mr. Seitz stated that in his opinion in order for health care reform to occur, resources need to be available to the legislators outside of the legislative process. Both the Health Finance Advisory Committee and the Health Policy Advisory Committee have identical charges in the statute, and some overlap in the committee membership exists. Committee members discussed whether to combine the Health Policy Advisory Committee and the Health Finance Advisory Committee, stating that some of the membership is duplicated. The Committee decided to review the membership and determine how to consolidate the membership of the two committees into one committee. One committee member stated that the two committees have existed

together for this long, so maybe it is not necessary to combine the committees.

#### Medicaid Advisory Committee

Chairperson Slabosky reminded the committee that the Medicaid Advisory Committee is required by federal law.

#### Medicaid Work Incentives Council

Nancy Jewell was not able to attend the meeting but a statement was read on her behalf regarding the Medicaid Work Incentives Council. Ms. Jewell stated that the Council worked in advisory capacity to discuss infrastructure issues concerning federal grants and to perform outreach to the targeted population. The Council did have attendance problems, but there's still a need to address the issues relating to reaching the target population required under the statute. The Committee members questioned whether this Council is required by federal law and asked staff to find out.

#### Health Care Account Advisory Board

The Health Care Account Advisory Board had the charge of looking at where certain money in the Indiana tobacco settlement agreement was spent. Ms. Kathy Norris, Fiscal Analyst for the Committee, commented that she believes that this board is not federally required and that the money involved is no longer available. Committee members stated that if this is the case, this Board is probably not needed.

Chairperson Slabosky stated that the next meeting will be October 11 at 1:30 p.m. Staff will call to ensure that a quorum can be present at this meeting. If it is determined that a quorum is not possible on this date, the alternative date will be October 17 at 1:30 p.m.

The meeting was adjourned at 2:10 p.m.